

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ALYESKA MASTER FUND, L.P.,  
ALYESKA MASTER FUND 2, L.P., and  
ALYESKA MASTER FUND 3, L.P.,

Plaintiffs,

v.

ALTA MESA RESOURCES, INC., f/k/a  
SILVER RUN ACQUISITION  
CORPORATION II; RIVERSTONE  
HOLDINGS LLC; ARM ENERGY  
HOLDINGS LLC; BAYOU CITY  
ENERGYMANAGEMENT, LLC; HPS  
INVESTMENT PARTNERS, LLC; JAMES  
T. HACKETT, HARLAN H. CHAPPELLE,  
WILLIAM GUTERMUTH, JEFFREY H.  
TEPPER, DIANA J. WALTERS;  
MICHAEL E. ELLIS; RONALD SMITH;  
DON DIMITRIEVICH; PIERRE F.  
LAPEYRE, JR.; DAVID M. LEUSCHEN;  
WILLIAM W. MCMULLEN; DONALD  
SINCLAIR; STEPHEN COATS; and  
THOMAS J. WALKER,

Defendants.

Civil Action No. 4:22-cv-001189

ORBIS GLOBAL EQUITY LE FUND  
(AUSTRALIA REGISTERED), ORBIS  
GLOBAL EQUITY FUND (AUSTRALIA  
REGISTERED), ORBIS GLOBAL  
BALANCED FUND (AUSTRALIA  
REGISTERED), ORBIS SICAV, ORBIS  
INSTITUTIONAL GLOBAL EQUITY L.P.,  
ORBIS GLOBAL EQUITY FUND  
LIMITED, ORBIS INSTITUTIONAL  
FUNDS LIMITED, ALLAN GRAY  
AUSTRALIA BALANCED FUND, ORBIS  
OEIC, and ORBIS INSTITUTIONAL U.S.  
EQUITY L.P.,

Civil Action No. 4:22-cv-02590

Plaintiffs,

v.

ALTA MESA RESOURCES, INC., f/k/a  
SILVER RUN ACQUISITION  
CORPORATION II; RIVERSTONE  
HOLDINGS LLC; ARM ENERGY  
HOLDINGS LLC; BAYOU CITY  
ENERGYMANAGEMENT, LLC; HPS  
INVESTMENT PARTNERS, LLC; JAMES  
T. HACKETT, HARLAN H. CHAPPELLE,  
WILLIAM GUTERMUTH, JEFFREY H.  
TEPPER, DIANA J. WALTERS;  
MICHAEL E. ELLIS; RONALD SMITH;  
DON DIMITRIEVICH; PIERRE F.  
LAPEYRE, JR.; DAVID M. LEUSCHEN;  
WILLIAM W. MCMULLEN; DONALD  
SINCLAIR; STEPHEN COATS; and  
THOMAS J. WALKER,

Defendants.

**[PROPOSED] ORDER**

Having considered Defendants HPS Investment Partners, LLC's ("HPS"), Bayou City Energy Management, LLC's ("Bayou City"), and ARM Energy Holdings LLC's ("ARM Energy") Joint Motion to Dismiss Plaintiffs' Section 20(a) claims and Incorporated Memorandum of Law, the Court is of the opinion that the Motion should be **GRANTED** and the Section 20(a) claims against HPS, Bayou City, and ARM Energy should be **DISMISSED** with prejudice.

Accordingly, **IT IS ORDERED** that HPS's, Bayou City's, and ARM Energy's Joint Motion to Dismiss Plaintiffs' Section 20(a) claims and Incorporated Memorandum of Law

is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiffs' Section 20(a) claims against HPS, Bayou City, and ARM Energy are **DISMISSED WITH PREJUDICE**.

Signed on \_\_\_\_\_, 2023.

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HONORABLE GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE